

Jane Doe
2269 Chestnut Street #102
San Francisco, California 94123
Telephone: (415) 875-9571

In pro se



Handwritten: 07 NOV -5 AM 2:52
FILED
HARDY WICKING
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Handwritten: 4 [Signature]

Jane Doe

Case No. C 07-05596 JCS

Plaintiff,

FIRST AMENDED COMPLAINT

vs.

**42 U.S.C. § 1983 and 1985
Complaint For Damages**

**CITY OF SAN MATEO; SAN MATEO
POLICE DEPARTMENT; SAN MATEO
POLICE CHIEF SUSAN E. MANHEIMER,
in her individual and official capacity;
OFFICER MURPHY #122, in his individual
and official capacity; OFFICER YANUSKA
#116, in his individual and official capacity;
SAN MATEO POLICE Does 1-100;
COUNTY OF SAN MATEO; SAN MATEO
COUNTY SHERIFF'S DEPARTMENT; SAN
MATEO COUNTY SHERIFF DON
HORSLEY, in his individual and official
capacity; SAN MATEO COUNTY SHERIFF
DEPUTIES Does 1-100; CITY OF SAN JOSE;
SAN JOSE POLICE DEPARTMENT; DOES
1 THROUGH 200, INCLUSIVE, et al.,**

DEMAND FOR JURY TRIAL

Defendants.

PLAINTIFF ALLEGES:**INTRODUCTION**

1. This is an action for declaratory and injunctive relief, damages, and punitive damages against THE CITY OF SAN MATEO, THE SAN MATEO POLICE DEPARTMENT, its CHIEF, SUSAN E. MANHEIMER, OFFICER MURPHY #122, OFFICER YANUSKA #116, SAN MATEO POLICE OFFICERS sued herin by their fictitious names Does 1 through 100, THE COUNTY OF SAN MATEO, its SHERIFF DON HORSLEY, SAN MATEO COUNTY SHERIFF'S DEPARTMENT, and SHERIFF DEPUTIES sued herin by their fictitious names Does 1 through 100, and Does 1 through 150 inclusive, et al. for violations of Negligence and Plaintiff's constitutional rights resulting from application of the City of San Mateo, The City Chief of Police, The County of San Mateo, and the Sheriff's policies, practices, and customs concerning the failure to train, denial of medical attention, discrimination and denial of equal protection, and the misuse of strip searches in San Mateo County Jail.

2. **JURISDICTION:** This action is brought pursuant to 42 U.S.C. sec 1983, 1985, and 1988, and the Fourth, Fifth, and Fourteenth Amendments to the United States Constitution. Jurisdiction is founded upon 28 U.S.C. sec 1331 and 1341(3) and (4) and the aforementioned statutory and constitutional provisions.

3. The Court has supplemental jurisdiction over plaintiff's state claims under 28 U.S.C. sec 1367 (a).

4. The amount in controversy exceeds \$100, 000, excluding interest and costs.

5. **VENUE:** Venue is proper here because all actions occurred in San Mate County, California in this court's jurisdiction.

1 6. **INTRADISTRICT ASSIGNMENT:** This lawsuit should be assigned to the San
2 Francisco Division of this court because a substantial part of the event or omissions which gave
3 rise to this action occurred in San Mateo County.

4 7. **JURY TRIAL DEMANDED:** PLAINTIFF DEMANDS A JURY TRIAL IN
5 THIS CASE

6
7
8 **PARTIES**

9 8. Plaintiff, Jane Doe, (herin after "PLAINTIFF") is a citizen of the United States and
10 resident of the state of California who was raped and sodomized by San Jose Police Officer James
11 Rainey Mason at his residence in San Mateo on November 5, 2005, then arrested by San Mateo
12 Police for drunk in public and booked into San Mateo County Jail.

13
14 9. Defendant CITY OF SAN MATEO, (herin after "CITY") is at all material times
15 referred to herin, was, a division of the State of California, that maintained or permitted an
16 official policy or custom or practice causing or permitting the occurrence of all kinds of wrongs
17 complained of herin, which damaged the plaintiff as herin alleged. Plaintiff's allegations against
18 the CITY are based on acts and omissions of persons who are City employees, and on the City's
19 breach of its duty to the Plaintiff of due process and equal protection.
20

21 10. Defendant SAN MATEO POLICE OFFICERS (hereinafter "POLICE") are sued
22 herin by their fictitious names (Does 1 through 100) are all police officers who, as a part of their
23 duties as a San Mateo Police Officer denied the plaintiff her right to due process of medical
24 attention and denied the Plaintiff equal protection as secured under the constitution of the United
25 States.
26
27
28

1 11. Defendant CITY OF SAN MATEO POLICE CHIEF SUSAN E. MANHEIMER
2 (herin after "CHIEF MANHEIMER") is, and at all material times referred to herin, was duly
3 elected Police Chief of the city of San Mateo, responsible for making, overseeing, and
4 implementing the policies, practices, and customs challenged herin, relating to the policies,
5 practices, and customs of the San Mateo Police Department. She is sued in his individual and
6 official capacities.
7

8 12. Defendant OFFICER MURPHY #122, (herin after "MURPHY") is, and at all
9 material times referred to herin, is a Police Officer employed by the City of San Mateo, San
10 Mateo Police Department. At all times pertinent herein, defendant MURPHY was acting under
11 color of law and in his capacity as a San Mateo Police Officer, and under the authority, policy,
12 procedure, custom and practice of the San Mateo police department. MURPHY is sued in his
13 individual and official capacity based on Negligence, acts and omission of acts, negligence, and
14 denial of the plaintiff's right to due process, medical attention, discrimination and denial of the
15 Plaintiff's right to equal protection as secured under the constitution of the United Sates
16

17 13. Defendant OFFICER YANUSKA #116, (herin after "YANUSKA") is, and at all
18 material times referred to herin, is a Police Officer employed by the City of San Mateo, San
19 Mateo Police Department. At all times pertinent herein, defendant YANUSKA was acting under
20 color of law and in his capacity as a San Mateo Police Officer, and under the authority, policy,
21 procedure, custom and practice of the San Mateo police department. YANUSKA is sued in his
22 individual and official capacity based on Negligence, acts and omission of acts, negligence, and
23 denial of the plaintiff's right to due process, medical attention, discrimination and denial of the
24 Plaintiff's right to equal protection as secured under the constitution of the United Sates.
25
26
27
28

1 14. Defendant COUNTY OF SAN MATEO, (herein after "COUNTY") is at all
2 material times referred to herin, was, a division of the State of California, that maintained or
3 permitted an official policy or custom or practice causing or permitting the occurrence of all
4 kinds of wrongs complained of herin, which damaged the plaintiff as herin alleged. Plaintiff's
5 allegations against the COUNTY are based on acts and omissions of persons who are County
6 employees, and on the County's breach of its duty to protect the Plaintiff from the wrongful
7 conduct of said persons and employees.
8

9 15. Defendant SAN MATEO COUNTY SHERIFF'S OFFICE, (herein after
10 "COUNTY JAIL") is at all material times referred to herin, was, a division of the State of
11 California, that maintained or permitted an official policy or custom or practice causing or
12 permitting the occurrence of all kinds of wrongs complained of herin, which damaged the
13 plaintiff as herin alleged. Plaintiff's allegations against the COUNTY JAIL are based on acts and
14 omissions of persons who are County employees, and on the County's breach of its duty to
15 protect the Plaintiff from the wrongful conduct of said persons and employees.
16
17

18 16. Defendant SAN MATEO COUNTY SHERIFF DON HORSLEY, (herein after
19 "SHERIFF HORSLEY") is, and at all material times referred to herin, was duly elected Sheriff of
20 the county of San Mateo, responsible for administering the Jail facilities and for making,
21 overseeing, and implementing the policies, practices, and customs challenged herin, relating to
22 the operation of the San Mateo County Jail. He is sued in his individual and official capacities.
23

24 17. Defendant SAN MATEO COUNTY SHERIFF DEPUTIES (hereinafter
25 "DEPUTIES") are sued herin by their fictitious names (Does 1 through 100) are all deputies who,
26 as a part of their duties at San Mateo Jail subjected the Plaintiff to strip search prior to being
27 arraigned and/or without the defendants first having, a recording in writing, a reasonable
28

1 suspicion that the search would be productive of contraband or weapons. Deputies discriminated
2 against the plaintiff and denied the plaintiff her and due process of medical attention and denied
3 the Plaintiff equal protection under the constitution of the United States.

4 18. Defendant CITY OF SAN JOSE, (herein after "CITY OF SAN JOSE") is at all
5 material times referred to herin, was, a division of the State of California, that maintained or
6 permitted an official policy or custom or practice causing or permitting the occurrence of all
7 kinds of wrongs complained of herin, which damaged the plaintiff as herin alleged. Plaintiff's
8 allegations against the CITY OF SAN JOSE are based on acts and omissions of persons who are
9 employees of the CITY OF SAN JOSE, and on the CITY OF SAN JOSE'S negligent hiring,
10 retention, and training of its employees.
11

12 19. Defendant SAN JOSE POLICE DEPARTMENT, (herein after "SAN JOSE
13 POLICE DEPARTMENT") is at all material times referred to herin, was, a division of the State
14 of California, that maintained or permitted an official policy or custom or practice causing or
15 permitting the occurrence of all kinds of wrongs complained of herin, which damaged the
16 plaintiff as herin alleged. Plaintiff's allegations against the SAN JOSE POLICE DEPARTMENT
17 are based on acts and omissions of persons who are employees of the SAN JOSE POLICE
18 DEPARTMENT, and on the SAN JOSE POLICE DEPARTMENT negligent hiring, retention,
19 and training of its employees.
20

21 20. Defendants Does 1-200, inclusive, are as yet unidentified entities, agencies, and/ or
22 individuals responsible for some or all of the following:
23

- 24 a. oversight, care, and treatment of the Plaintiff while she was in police department
25 and county jail custody and/ or control at the times alleged herin, and while defendant was
26 acting under color of law .
27
28

b. hiring, training, and/or supervision of individual San Mateo Police officers and San Mateo County deputies who were responsible for the care and treatment of the Plaintiff while she was in police department and County Jail custody and/ or control at the times alleged herein;

c. establishment or implementation of appropriate policy, procedure, custom, and practice for San Mateo Police and County Deputies and/ or for ensuring appropriate policies, procedures, customs and practices were followed by San Mateo police officers and County deputies at the time alleged herin;

d. taking corrective action to remedy any constitutional violations by officers and deputies under defendant's supervision.

21. All material times mentioned herein, each of the defendants was acting under the color of law, to wit, under color of statutes, ordinances, regulations, policies, customs, and usage of the State of California, The City of San Mateo, The San Mateo City Police Chief, The City of San Jose, The San Jose Police Department, The County of San Mateo, and/ or the San Mateo County Sheriff.

FACTS

22. On November 4, 2005 at approximately 11:30 pm, the Plaintiff was raped and sodomized by San Jose Police Officer James Rainey Mason (herin after “Mason”) at his residence in San Mateo California.

1 23. At the time Mason sodomized the Plaintiff, she was moving in and out of
2 consciousness, and did not consent to these acts. When she was lucid, she told Mason that he was
3 hurting her, and demanded he stop. Mason refused and pulled her hair.

4 24. At some point later in the early hours of November 5, 2005, Plaintiff awoke again,
5 and in pain. She was aware of pornography playing on the television, and felt Mason's penis in
6 her vagina and saw him on top of her. After a few moments she again lost consciousness.
7 Plaintiff was too intoxicated to react.

9 25. Plaintiff next awoke to MASON throwing her clothing and effects at her, and
10 telling her to leave. At this time the Plaintiff was still severely intoxicated, and had difficulty
11 standing and comprehending her surroundings

12 25. MASON then telephoned the police, informed them that he was a police officer,
13 and falsely reported that the Plaintiff was assaulting him.

15 26. Upon hearing MASON on the telephone from another room in the house, the
16 Plaintiff walked to where MASON stood and asked to speak to the police. She asked the
17 Defendant to give her the telephone receiver, and tried to take it from his hands.

19 27. Shortly thereafter, at 1:10 a.m. Officer MURPHY and Officer YANUSKA of the
20 San Mateo Police Department arrived at MASON'S house. MASON again identified himself as a
21 Police Officer. Officer MURPHY asked the Plaintiff to come with him

22 28. As Officer MURPHY escorted the Plaintiff to his patrol car, Plaintiff informed
23 MURPHY that she had been assaulted by MASON and needed to go to the hospital. MURPHY
24 ignored the Plaintiff's demand for medical attention and ordered the PLAINTIFF to get in the back
25 seat of his patrol car. MURPHY then locked the door and went back to speak with Officer
26 YANUSKA and MASON. When officer MURPHY returned to the patrol car, he informed the
27
28

1 Plaintiff that he was taking her to County Jail. MURPHY had the Plaintiff get out from back of
2 the patrol car and turn around. Murphy then handcuffed and arrested the Plaintiff.

3 29. PLAINTIFF did not know why she was being arrested and cried that MASON
4 sodomized her and again and demanded to be taken to the hospital.

5 29. Officer MURPHY and YANUSKA ignored the Plaintiff's cries for help and the
6 Plaintiff was taken to County Jail in Officer Murphy's patrol car.

7 30. Upon arrival to county jail officer MURPHY woke the PLAINTIFF and pulled her
8 out from the patrol car because she had difficulty getting up and standing on her own. Deputies'
9 at county jail patted the Plaintiff down and removed and arranged some of the Plaintiffs clothing
10 so as to permit a visual inspection of her underclothing, breasts, and buttocks.
11

12 31. Plaintiff was fingerprinted, photographed, and thrown into a jail cell in isolation.

13 32. While in the jail cell, Plaintiff was still intoxicated and confused as to where she
14 was, how she got there, and why.
15

16 33. Plaintiff used the intercom and asked why she was in jail. Plaintiff was informed
17 by a DEPUTIE "The minute you stepped out the front door you were drunk in public".
18

19 34. Plaintiff cried that she was sodomized by a cop and demanded to be taken to the
20 hospital. DEPUTIES' laughed, mocked the Plaintiff, and made inappropriate jokes such as
21 "Domino's Pizza".

22 35. DEPUTIES apparently did not believe that the PLAINTIFF was sexually assaulted
23 by MASON because the Plaintiff was intoxicated.
24

25 36. Plaintiff demanded a breathalyzer, but DEPUTIES ignored her demands and
26 continued to make unprofessional jokes.
27
28

1 37. When the Plaintiff continued to cry that she had been sodomized by a Police
2 Officer and demanded she be taken to the hospital to get swabbed, DEPUTIES converged around
3 the Plaintiffs jail cell while putting on blue plastic gloves in a threatening manner to scare the
4 Plaintiff and demanded that she shut up.

5 38. Plaintiff was released from jail at approximately 7:30 a.m. without charges pressed
6 against her.

7 39. Afterwards, Plaintiff did not call police for an ambulance in fear that she would be
8 arrested again and taken back to jail.

9 40. Plaintiff is informed and believes, and thereon alleges, that defendants acted
10 negligently by their acts and omission of acts.

11 41. Plaintiff is informed and believes, and thereon alleges, that defendants
12 intentionally and negligently covered up evidence of a crime.

13 42. Plaintiff is informed and believes, and thereon alleges, that defendants
14 intentionally discriminated against the plaintiff as a woman, and conspired to deprive, directly or
15 indirectly, the plaintiff's right to equal protection under the laws.

16 43. Plaintiff is informed and believes, and thereon alleges, that defendant's policy and
17 customs subjected the plaintiff to denial of her right to due process and medical attention.

18 44. Plaintiff is informed and believes, and thereon alleges, that defendants negligently
19 hired, trained and retained employees.

20 45. Plaintiff is informed and believes, and thereon alleges, that defendants routinely
21 followed their policy, practice and custom of subjection pre-arraignment of detainees, including
22 plaintiff, to a strip searches without having, and recording in writing, a reasonable suspicion that
23 the search will be productive of contraband or weapons.

45. Defendant Police CHIEF SUSAN E. MANHEIMER is personally responsible for the policies, customs, of the San Mateo Police Department and failure to adequately train its Police Officers.

46. Defendant SHERIFF DON HORSLEY is personally responsible for the failure to adequately train its sheriff's deputies and the promulgation and continuation of the strip search policy, practice, and custom to which the plaintiff herein was subjected to and complained of herein.

47. As a result of defendants gross negligence, lack of training, discrimination, denial of immediate medical attention, denial of equal protection, and the misuse of searches complained of herein, Plaintiff has suffered physical, mental, and emotional distress, invasion of privacy and violation of due process law and state and federal statutory and constitutional rights. The policy or customs of the city and county subjected the plaintiff or caused her to be subjected to the deprivation of constitutional rights.

48. Although Officer Mason had perpetrated the crime of rape upon the plaintiff and was in violation section 261 and 286 of California Penal Code, POLICE, DEPUTIES, and DOES 1-100 discriminated against the Plaintiff and conspired to and covered up Mason's crime. Defendants failed to administer a blood alcohol test upon the Plaintiff immediately after the rape and medical attention was denied.

COUNT I

42 U.S.C § 1983

**Discrimination and Denial of Equal protection under the Fourteenth Amendment
(Individual Defendants)**

49. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1 through 48 above as though set forth fully herein.

50. Defendant Officer MURPHY #122, officer YANUSKA #116, SHERIFF DEPUTIES, and Does 1-100 discriminate against the plaintiff as a woman and deprived her of her fourteenth amendment right to equal protection of the under 42 USC 1983.

51. Section 1983 provides a cause of action for any person injured by discrimination and denial of the equal protection of the laws.

52. WHEREFORE, plaintiff prays for relief as hereunder appears.

COUNT TWO

42 U.S.C § 1983

Discrimination and Denial of Equal protection under the Fourteenth Amendment

(City, County, and Supervisory Defendants)

53. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1 through 52 above as though set forth fully herein.

54. Defendants CITY, COUNTY, and Does 1-100 maintained or permitted an official policy or custom or practice causing or permitting the occurrence of all kinds of wrongs complained of herin, which damaged the plaintiff as herin alleged 43.

55. Section 1983 provides a cause of action for any person injured by a conspiracy organized for the purpose of depriving, either directly or indirectly (such persons) of the equal protection of the laws.

56. WHEREFORE, plaintiff prays for relief as hereunder appears.

COUNT THREE

42 U.S.C § 1985

Conspiracy to Discriminate

(Individual Defendants)

57. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1 through 56 above as though set forth fully herein.

58. Defendant Officer MURPHY #122, officer YANUSKA #116, SHERIFF DEPUTIES, and Does 1-100 conspired to discriminate against the plaintiff as a woman and covered up Mason's crime of rape under California Penal Code section 261 and 286.

59. Section 1985 provides a cause of action for any person injured by discrimination and a conspiracy to discriminate.

60. WHEREFORE, plaintiff prays for relief as hereunder appears.

COUNT FOUR

42 U.S.C § 1985

Conspiracy to Discriminate

(City, County, and Supervisory Defendants)

61. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1 through 60 above as though set forth fully herein.

62. Defendants CITY, COUNTY, and Does 1-100 maintained or permitted an official policy or custom or practice causing or permitting the occurrence of all kinds of wrongs complained of herein, which damaged the plaintiff as herein alleged 43.43.

63. Section 1985 provides a cause of action for any person injured by discrimination and a conspiracy to discriminate.

64. WHEREFORE, plaintiff prays for relief as hereunder appears.

COUNT FIVE

42 U.S.C § 1983

**Violation of Civil Rights Failure to provide Medical Assistance
(Individual Defendants)**

65. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1 through 64 above as though set forth fully herein.

COUNT SIX

42 U.S.C § 1983

**Violation of Civil Rights Failure to provide Medical Assistance
(City, County, Institutional and Supervisory Defendants)**

66. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1 through 65 above as though set forth fully herein.

COUNT SEVEN

42 U.S.C § 1983

**Failure to Train and Due Process Violation of Fourth and Fourteenth Amendment (County,
(City, County, Institutional, and Supervisory Defendants)**

67. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1 through 66 above as though set forth fully herein.

68. Defendants CITY, COUNTY, and Does 1-100 maintained or permitted an official policy or custom or practice causing or permitting the occurrence of all kinds of wrongs complained of herein, which damaged the plaintiff as herein alleged 43.

69. Defendants CITY, COUNTY, and Does 1-100 are liable under 42 U.S.C. 1983 for its violation of the Plaintiff's rights under the Due Process Clause of the Fourteenth Amendment

1 70. WHEREFORE, plaintiff prays for relief as hereunder appears.

2
3 **COUNT EIGHT**

4 **42 U.S.C § 1983**

5 **Unreasonable Search and Seizure Violation of Fourth and Fourteenth Amendment**
6 ***(Individual Defendants)***

7
8 71. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1 through
9 70 above as though set forth fully herein.

10 72. Defendants' policies, practices, and customs regarding the strip search complained
11 of herin violated plaintiff's rights under the Fourth Amendment to be free from unreasonable
12 searches and seizures, violated said plaintiff's right to due process and privacy under the
13 Fourteenth Amendment, and directly and proximately damaged plaintiff as herin alleged, entitling
14 plaintiff to recover damages for said constitutional violations under 42 U.S.C. sec 1983.
15

16 73. WHEREFORE, plaintiff prays for relief as hereunder appears.

17 **COUNT NINE**

18 **42 U.S.C § 1983**

19 **Unreasonable Search and Seizure Violation of Fourth and Fourteenth Amendment**
20 ***(City, Institutional and Supervisory Defendants)***

21
22 74. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1 through
23 73 above as though set forth fully herein.

24 75. Defendants' policies, practices, and customs regarding the strip search complained
25 of herin violated plaintiff's rights under the Fourth Amendment to be free from unreasonable
26 searches and seizures, violated said plaintiff's right to due process and privacy under the
27
28

1 Fourteenth Amendment, and directly and proximately damaged plaintiff as herin alleged, entitling
 2 plaintiff to recover damages for said constitutional violations under 42 U.S.C. sec 1983.

3 76. WHEREFORE, plaintiff prays for relief as hereunder appears.

4 **COUNT TEN**

5 **42 U.S.C § 1983**

6 **California State Unruh Civil Rights Act, Civil Code sec 52 and 52.1**

7 ***(City, County, Institutional and Supervisory Defendants)***

8 77. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1 through
 9
 10 76 above as though set forth fully herein.

11 78. Defendants' policies, practices, and customs regarding the strip search complained
 12 of herin violated plaintiff's rights to privacy as secured by Article 1, Section 1 of the California
 13 Constitution and directly and proximately damaged plaintiff as herin alleged, entitling said
 14 plaintiff to recover damages pursuant to California Civil Code sec 52.1 and sec 52, in addition to
 15 other damages.
 16

17 79. WHEREFORE, plaintiff prays for relief as hereunder appears.

18
 19 **COUNT ELEVEN**

20 **42 U.S.C § 1983**

21 **Negligent hiring, retention, and training**

22 ***(City, County, Institutional and Supervisory Defendants)***

23
 24 80. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1 through
 25
 26 79 above as though set forth fully herein.

27 81. Defendants CITY OF SAN JOSE, SAN JOSE POLICE DEPARTMENT, CITY
 28 OF SAN MATEO, COUNTY OF SAN MATEO and Does 1-100 negligently hired, retained and

1 trained Officer James Rainey Mason who perpetrated the crime of rape upon the Plaintiff under
2 California Penal Code section 261 and 286. Defendants maintained or permitted an official policy
3 or custom or practice causing or permitting the occurrence of all kinds of wrongs complained of
4 herin, which damaged the plaintiff as herin alleged 43.43.

5 6 7 **COUNT TWELVE**

8 **Negligence**

9 **(Individual Defendants)**

10
11 82. Plaintiff repeats and re-alleges the allegations contained in paragraphs 1 through
12 81 above as though set forth fully herein.

13 83. Defendant Officer MURPHY #122, officer YANUSKA #116, SHERIFF DEPUTIES,
14 and Does 1-100 acted recklessly, intentionally, with gross negligence, by denying the Plaintiff
15 immediate medical attention after she had been raped by Officer Mason.

16
17 84. Defendants knew or reasonably should have known that the James Mason had
18 perpetrated the crime of rape upon the Plaintiff under California Penal Code section 261 and 286.

19 85. WHEREFORE, plaintiff prays for relief as hereunder appears.

20 21 **PRAYER FOR RELIEF**

22
23
24 WHEREFORE, plaintiff prays for judgment against defendants, and each of them, for each cause
25 of action above alleged, as follows:

- 26 1. General damages;
27
28 2. Special damages;

1 3. Punitive damages;


2 4. Attorneys' fees and costs incurred in connection with this action to the fullest extent
3 permitted by law;

4 5. Such other relief as may be just and proper.
5

6
7 **DEMAND FOR JURY TRIAL**

8 Pursuant to Federal Rule of Civil Procedure 38 and Civil Local Rule 3-6, plaintiff hereby
9 demands a jury trial on all issues so triable.
10

11 1. Dated: November 5, 2007
12

13
14 By: 
15 Jane Doe, Plaintiff in pro se
16
17
18
19
20
21
22
23
24
25
26
27
28